

**FILED**

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

7:00 JAN 10 AM 10:37  
CLERK  
US BANKRUPTCY COURT  
DISTRICT OF DELAWARE

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<b>IN RE:</b>	:	
	:	<b>Chapter 11</b>
<b>W.R. GRACE &amp; CO., et al.,</b>	:	
	:	
	:	
	:	
<b>Debtors.</b>	:	<b>Case No. 01-01139-JJF</b>
	:	<b>(Jointly Administered)</b>
	:	
	:	
-----X	:	

**REQUEST FOR DIRECTION FROM BANKRUPTCY  
COURT BY NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA.**

National Union Fire Insurance Company of Pittsburgh, Pa. ("National Union"), by its undersigned counsel, respectfully requests this Court's direction in connection with its rights and obligations arising from certain pre-petition confidential settlement agreements adopted by Debtors W.R. Grace & Co., a Delaware Corporation ("Grace-Del.") and W.R. Grace & Co. Conn. ("Grace-Conn.") (collectively, "Debtors") and the law firms of Reaud, Morgan & Quinn, Inc. and Environmental Litigation Group, P.C. (collectively, the "Law Firms") and alleges as follows:

1. Debtors and the Law Firms were involved in pre-petition actions in which the Law Firms sought recovery for underlying



asbestos-related claims on behalf of clients or potential clients of the Law Firms. On or about August 25, 2000, the Law Firms and Debtors entered into certain confidential asbestos settlement agreements and releases (the "Agreements").

2. Debtors filed voluntary Chapter 11 petitions in this Court on April 2, 2001.

3. Under the Agreements Debtors are expected to make payments by certain dates, including certain pre-petition payments. But for Debtors' Chapter 11 filings, the Debtors would be expected to make certain additional payments in the future. Under the Agreements certain payments are next scheduled for January 15, 2002.

4. National Union has issued two surety bonds numbered ESD7311060 and ESD7311061 respectively (the "Bonds") in connection with the Agreements. The Bonds are secured by certain letters of credit and/or other security, and, on information and belief, the estates of Debtors may have an interest in such letters of credit or security.

5. National Union has reason to believe that certain parties in interest in this case may have cause to contend that the



Agreements are not legally enforceable obligations. National Union requires further information and direction concerning such contentions.

6. Further, National Union is uncertain as to what effect, if any, the filing of this case may have upon National Union's obligations under the Bonds. National Union is prepared to make all payments lawfully required by the Bonds, but hereby requests direction from this Court in that connection.

**CONCLUSION**

National Union respectfully seeks direction from this Court concerning obligations under the Bonds.

Respectfully submitted,

By: 

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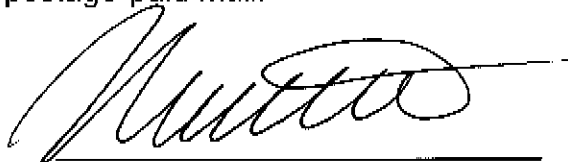
Dated: January 8, 2002

379453.01/2888-007/SP



CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on January 8, 2002, I caused true copies of a REQUEST FOR DIRECTION FROM BANKRUPTCY COURT BY NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA. to be served upon parties on the attached list by United States postage-paid mail.

A handwritten signature in black ink, appearing to read "M. Davis", is written over a horizontal line.

Michael S. Davis

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